

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-CV11829 GAO

ROBERT S. STEPHENS,)
Plaintiff)
)
V.)
)
ROBERT MULHERN, individually)
and as Police Chief of the Town of)
Groton,)
PETER S. CUNNINGHAM,)
individually and as a Selectman for)
the Town of Groton,)
THOMAS D. HARTNETT individually)
and as a Selectman of the Town of)
Groton,)
DANN CHAMBERLIN, individually)
and as a Selectman of the Town)
of Groton,)
"JOHN DOE" and)
THE TOWN OF GROTON,)
Defendants.)

DEFENDANTS, ROBERT MULHERN, PETER S. CUNNINGHAM, THOMAS D. HARTNETT, DANN CHAMBERLIN AND THE TOWN OF GROTON'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS FROM THE PLAINTIFF

The defendants, Robert Mulhern, Peter S. Cunningham, Thomas D. Hartnett, Dann Chamberlin and The Town of Groton ("defendants"), hereby move pursuant to Rule 37 of the Federal Rules of Civil Procedure ("FRCP") that this Court enter an order compelling the plaintiff, to fully and completely respond to the Defendants' Request for the Production of Documents to the Plaintiff, (a copy of which is attached hereto) and to answer the first request for production of documents addressed to them within 20 days of an entry of Order in this regard.

In support thereof, it will be noted that such discovery was served on the following day:

First Request for Production of Documents
addressed to Robert S. Stephens

June 23, 2005

Additionally, defendants' counsel conferred with opposing counsel by letter on July 25, 2005, pursuant to the local rules of this Court.

Furthermore, the defendants request that this Court compel the plaintiff to produce his initial disclosure. Defendants' counsel has through direct conversation and letter requested the plaintiff's initial disclosures and has not yet received any replies.

It is hereby certified that the movant has, in good faith, conferred or attempted to confer with the party not making the disclosure in an effort to secure the disclosure, without Court action.

Respectfully submitted,
DEFENDANTS,
By their attorneys,

/s/ Jeremy I. Silverfine
Leonard H. Kesten, BBO# 542042
Jeremy I. Silverfine, BBO#542779
BRODY, HARDOON, PERKINS & KESTEN, LLP
One Exeter Plaza
Boston, MA 02116
(617) 880-7100

Date: August 2, 2005